

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JAMES O. MORRIS,

Plaintiff,

vs.

Civil Action 2:12-cv-595
Judge Sargus
Magistrate Judge King

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

REPORT AND RECOMMENDATION

The parties have stipulated to an award of fees under the Equal Access to Justice Act, 28 U.S.C. § 2412, in the amount of \$4,750.00. Doc. No. 24.

It is therefore **RECOMMENDED** that plaintiff be awarded an attorney fee in the total amount of \$4,750.00 under the Equal Access to Justice Act, 28 U.S.C. § 2412. If counsel for the parties verify that plaintiff owes no pre-existing debts to the United States that are subject to offset, defendant will direct that the award be made payable to plaintiff's attorney pursuant to the attorney's fee assignment executed by plaintiff and his counsel.

If any party seeks review by the District Judge of this *Report and Recommendation*, that party may, within fourteen (14) days, file and serve on all parties objections to the *Report and Recommendation*, specifically designating this *Report and Recommendation*, and the part thereof in question, as well as the basis for objection thereto. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Response to objections

must be filed within fourteen (14) days after being served with a copy thereof. Fed. R. Civ. P. 72(b).

The parties are specifically advised that failure to object to the *Report and Recommendation* will result in a waiver of the right to *de novo* review by the District Judge and of the right to appeal the decision of the District Court adopting the *Report and Recommendation*. See *Thomas v. Arn*, 474 U.S. 140 (1985); *Smith v. Detroit Fed'n of Teachers, Local 231 etc.*, 829 F.2d 1370 (6th Cir. 1987); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

s/Norah McCann King
Norah M^cCann King
United States Magistrate Judge

August 23, 2013